

## **REMARKS**

The Office Action of June 1, 2004 included a restriction requirement, requiring election between one of the following three inventions:

Invention I, recited in claims 1, 2, 8-12, and 13-20, drawn to a method for managing memory containing a memory address pool;

Invention II, recited in claims 3-4, drawing to a method for managing memory for a network; and

Invention III, recited in claims 6-7, drawn to a method for managing memory and containing a stack.

Applicant respectfully elects to prosecute the subject matter of Invention I, recited in claims 1, 2, 8-12, and 13-20, drawn to a method for managing memory containing a memory address pool. However, this provisional election is made with traverse because Applicant respectfully submits that the criteria for restriction between patentably distinct inventions have not been met. There are two criteria for a proper requirement for restriction: (1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is required (MPEP §803). Applicant respectfully submits that the requirement for restriction in this application is improper. Applicant further submits that the Examiner has failed to demonstrate a serious burden through appropriate explanation of separate classification, separate status in the art, or a different field of search (MPEP §803).

Applicants maintain that all of claims 1-4 and 6-20 may be examined through a single field of search. Therefore, Applicant respectfully requests the examination of all of claims 1-4 and 6-20.

Applicant reserves the right to file a divisional application on the non-elected claims at any point prior to the termination of the proceedings in the subject application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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